



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

JUNE 23, 2009

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA

COMMISSIONERS

CHAIR, WAYNE TANDA
VICE-CHAIR, COMMISSIONER JOSEPH H. MUELLER
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER NANCY K. HART
COMMISSIONER SUSAN KOEPP-BAKER
COMMISSIONER JOHN LIEGL
COMMISSIONER JOHN A. MONIZ

REGULAR MEETING - 7:00 P.M.

*** A G E N D A ***

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

PLANNING COMMISSION AGENDA

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DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

ORDERS OF THE DAY

PRESENTATION:

PROPOSED SUSTAINABLE BUILDING ORDINANCE: Environmental Programs staff will provide a presentation on the Draft Sustainable Building Ordinance that will be presented to City Council for adoption on July 15th.

PUBLIC HEARINGS:

- 1) **ZONING AMENDMENT, ZA-09-01/DEVELOPMENT AGREEMENT, DA-09-01/DEVELOPMENT SCHEDULE, DS-09-01: MCLAUGHLIN-MALECH:** A request for approval of a zone change to adopt a precise plan and establish a planned development overlay for the construction of two duplex buildings (four residential units) on a 1.1-acre site located in the CL-R, Light Commercial Residential Zoning District. A development agreement and development schedule for the four-unit project is also proposed. (APNs 726-24-015 & -016)

Recommendation:

- 1) Open Public Hearing;
- 2) Adopt Resolutions with recommendation to forward zoning amendment and development agreement to the City Council for approval; and
- 3) Adopt Resolution approving development schedule.

- 2) **USE PERMIT, UP-09-03: VINEYARD-ESPENESA CHURCH:** A request for approval of a conditional use permit to allow a church use to occupy an existing 17,460-sf building located at 16120 Vineyard Blvd in a ML, Light Industrial Zoning District. (APN 817-05-063)

Recommendation: Open Public Hearing/Adopt Resolution approving conditional use permit request.

WORKSHOP:

- 3) **DOWNTOWN SPECIFIC PLAN:** Review, provide questions and comments and receive public input on the Draft Downtown Specific Plan released in July 2008.

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TENTATIVE AGENDA FOR THE JULY 14, 2009 MEETING

- **DA-09-02/DS-09-02: Clayton-O/Brien**
- **ZA-09-04: City of MH-Amendment to Seismic Combining District Chptr 18.43 of the City of MH Municipal Code**
- **ZA-09-05: City of MH-Small Lot SFD Zoning District**
- **DAA-05-06D: Ginger-Custom-One**
- **CRA-09-01: Monterey-Kamei**
- **Planning Commission Recommended Revisions to Policies and Processes**

ANNOUNCEMENTS

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

NOTICE

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All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)

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